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SUBJECT: ATTACKS AGAINST FREEDOM OF THE PRESS IN BOLIVIA

REFTEL: 2007 LA PAZ 2854

Summary

¶1. (SBU) Attacks against the press are frequent in Bolivia, but the number and severity of these attacks has risen over the past two years. The Superintendent of Telecommunications issued and then retracted after a public outcry a policy stating that published or transmitted information, even if true, could be penalized if the information provoked a strong public response. President Evo Morales' ruling Movement Toward Socialism (MAS) party's proposed constitution also contemplates language that would limit the rights of reporters to freely practice their trade. President Morales often calls the press his government's "number one enemy." Bolivian and international press organizations have argued in defense of the media, but as attacks against journalists and media owners increase, the future of freedom of expression in Bolivia remains unclear. End summary.

MAS Constitution Not Press Friendly

¶2. (SBU) Media organizations have been concerned for some time about an article in the MAS draft constitution that states: "The information and opinions issued through the media must respect the principles of truth and responsibility." The National Press Association (ANP) denounced the article in front of the OAS on March 18 stating that freedom of expression is in danger in Bolivia. If approved, government officials could use the article as the basis to press legal charges against citizens it believes to have defied the article's principals. The ANP says the article in the proposed constitution violates international and universal norms such as the UN Declaration of Human Rights, the American Convention on Human Rights, and the Inter-American Declaration on Freedom of Expression.

Regulator to Press: Behave or Face Sanctions

¶3. (SBU) In mid-March the Superintendent of Telecommunications (SITTEL) sent a letter to more than a thousand radio and TV stations instructing them to refrain from broadcasting information that "even if authentic, could harm or alarm the population on account of the way or time it is broadcast." The letter was sent just as popular protests over rising food prices were heating up, and there is some speculation that the letter was a warning to media outlets over stories that highlighted food shortages and price hikes in staples. On March 19, the ANP issued a communique "firmly rejecting" SITTEL's letter, arguing that it represented a "veiled and unacceptable" form of government censorship. The communique stated that ANP regretted SITTEL's meddling in journalistic content by arbitrarily telling media outlets what they can broadcast. The communique concluded, "This attitude adds to the government's decision at the Constitutional Assembly of incorporating into the [proposed]

constitution a mechanism that violates the Bolivian peoples' freedom of expression."

¶14. (SBU) Media organizations, the opposition, and several government officials, all rejected the SITTEL letter. Even the Vice President joined the massive outcry. "Democracy is based on freedom of expression and on a free press. We renew our commitment to the principle of this right," the Vice President said. Bolivian government spokesman and former journalist Alex Contreras described the letter as incoherent, inappropriate, and out of line since it goes against the government's stance as a "fervent defender" of the freedom of expression and information in the country. Contreras asked SITTEL to retract the letter by sending the media another letter correcting the mistake. Contreras went a step further and asserted that the government will defend freedom of expression and information to the end.

¶15. (SBU) On March 20, after the wave of criticism from the public and from the government itself, SITTEL suspended the application of the letter and admitted it had based the letter on legislation that was no longer applicable. A follow-on communiqu sent by SITTEL said: "In the face of norms drafted more than a decade ago that at present are insufficient to be put in service, it is the duty of all the actors involved to... bring up to date or annul those norms." The communiqu concludes indicating that the letter sent to more than a thousand media would not be put into effect.

¶16. (SBU) Several prominent La Paz journalists in two separate TV Sunday (March 23) news talk shows expressed that the SITTEL letter was not accidental. They noted that SITTEL cited a very old law, a law that was not even enforced during the military dictatorships. The unearthing of such an old law indicates SITTEL had researched its position. The journalists argued that the superintendent -- a government-appointed official -- would not have drafted the letter in isolation. Rather, the superintendent must have done so at the request of a higher-ranking government official, perhaps some of the same government officials who are now pretending to be shocked by it. The journalists believe the letter is designed to serve as a legal justification for the article in the MAS's proposed constitution that says that the media must respect the principles of truth and responsibility. They questioned who would be authorized to determine truthful and responsible journalism under the new constitution. The journalists argued that the answers to these questions point directly to government officials who intend to muzzle the media.

A Long History of Press Enmity

¶17. (SBU) SITTEL'S letter was not the government's first foray into restricting the press's work. In June 2007, President Morales signed a decree limiting the concession of radio licenses for rural areas. The decree forbids rural radio stations from broadcasting political messages. However, the rule does not apply to the thirty government-controlled "community radio stations" that President Morales created with two million dollars in Venezuelan government financing. The Bolivian government's national communication director admitted that the objective of creating these stations was to act as a counterbalance to the radio stations linked to the opposition from the media luna (the eastern provinces including the departments of Santa Cruz, Tarija, Beni, and Pando).

¶18. (SBU) During a message to Congress early this year commemorating his first two years in office, the President proposed eliminating the right to protect confidential sources in order to make information more transparent and to prevent slander. The La Paz Press Association immediately rejected the proposal arguing that the decision would go against those who reveal corruption, and other whistle blowers. The Association president argued, "If journalists were to reveal sources we would turn into informers and those individuals who give us tips would be implicated in defamation suits or police persecutions."

Morales Sees a Conspiratorial Press

¶9. (SBU) Since his election, President Morales has had an antagonistic relationship with the Bolivian press. Government officials starting with the President frequently say that the media is in the hands of powerful and hostile economic groups from the right that defend their interests and privileges while opposing the government's process of change. President Morales is correct that wealthy families are the primary owners of Bolivia's media outlets and that they generally have a conservative, pro-business outlook. These families often do not share President Morales' political views.

¶10. (SBU) Citing their wealth and privilege, President Morales accuses the media families (and their employees) of conspiring against his government: "The main adversaries of my presidency, of my government, are certain communications media," he has often said.

Another of his favorite phrases is "Evo Morales' enemy number one is the majority of the media," though he sometimes draws a distinction: "Reporters sympathize with me, but the media owners are aligned in a campaign against my government." Nevertheless, the government has never provided proof that the media are conspiring to topple him. "The administration believes that any criticism is part of a conspiracy," says Pedro Rivero, executive director of Santa Cruz's leading daily *El Deber*, and president of the National Press Association. "There is freedom of expression in Bolivia, but the President's constant verbal attacks send some worrying signals."

¶11. (SBU) Unlike past democratically elected presidents, President Morales has made a practice of railing against the media during his public events, accusing the media of distorting, manipulating information, and lying. The President has declared publicly that the press in Bolivia is free to express its views, but the press in its stories about his administration is "reckless." President Morales often asserts that the press misinforms, attacks, and wants to humiliate him.

Attacks on Journalists Rising

¶12. (SBU) The President's frequent media bashing and finger pointing has taken its toll in more ways than one. Starting last year, attacks on journalists and media outlets by angry citizens have been increasingly frequent and fierce. UNITEL which is owned by a Santa Cruz businessman and strong President Morales critic is often the target of the President's rhetorical attacks which at times have turned into physical attacks by his supporters. On November 26, 2007, with a cry of "death to the media who lie!" and "Death to UNITEL!" groups of pro-MAS individuals harassed, beat, and kicked journalists during public demonstrations, and even smashed their cameras. They also attacked media stations by throwing stones and smashing windows. According to a Reporters Without Borders report, there were 60 attacks and acts of aggression against journalists during 2007. (See reftel.)

¶13. (SBU) In September 2006 President Morales called a press conference to slam two media reports published in La Paz's leading daily newspaper *La Razon* in which he accused the paper of "lies and misinform[ing] constantly." On March 22, 2007, a group of campesinos in La Paz took two *La Razon* journalists hostage. The angry locals slashed the journalists' car tires, held them inside their vehicle, and harassed and threatened them throughout the night. The campesinos accused the reporters of lying constantly. At dawn they let the reporters leave unharmed.

¶14. (SBU) March 2008 probably saw the worst attack yet when a mob in the coca-growing Chapare region lynched three policemen and almost killed two TV journalists who were covering the story at the request of locals. Recognizing that film testimony of the torture and massacre could be incriminating, one of the individuals involved in the lynching of the policemen went after the journalists. The thugs stole the reporters' cameras and beat them badly. The reporters themselves barely escaped from being lynched. People in the mob claimed that they were from the MAS, and stated that they were in power now and that nobody could stop them.

Comment

¶15. (SBU) Reporters are beginning to voice their concerns that it is difficult and at times unsafe to exercise their profession. While supporters of the government are not the only ones to attack the press corps -- at times pro-opposition thugs attack members of the government-backed media -- it is the government's responsibility to guarantee freedom of expression. For President Morales, any criticism of his "project for change" represents a political agenda, an agenda that must be stopped regardless of its impact on the right to free speech. That said, the media continue to investigate and report on government corruption, mishandling of the economy and political missteps by the Morales Administration, and there is no shortage of media stories critical of the President. End Comment.